Customer No.: 31561

Docket No.: 13321-US-PA Application No.: 10/711,472

REMARKS

In the present Office Action, Claims 1 and 15 are rejected under 35 U.S.C 112,

second paragraph, as being indefinite for failing to particularly point out and distinctly

claim the subject matter which applicant regards as the invention, and claims 15-20, 22

and 23 are rejected under 35 U.S.C 101 because the claimed invention is directed to

non-statutory subject matter. And, claims 2-6, 8, 9, 16-20, 22 and 23 are objected to for

being dependent on a rejected base claim. Additionally, claims 1-6, 8-20, 22 and 23 are

deemed allowable over the prior art at this time, pending resolution of any rejections

noted above.

Applicant has amended claims 1 and 15, and no new matter is added by way of

these amendments made to the claims.

After carefully considering the remarks set forth in this Office Action, Applicant

respectfully submits that the presently pending claims are already in condition for

allowance. Reconsideration and withdrawal of the rejection are requested.

Discussion of the Office Action Rejections

Claim Rejections – 35 U.S.C. §112, 2nd Paragraph

Claims 1 and 15 are rejected under 35 U.S.C 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

In response thereto, Applicant has amended the subject matter in claims 1 and 15.

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In particular, Applicant has changed "the key data" to "the at least one key data" in line 7

of claim 7 and line 10 of claim 15. Additionally, applicant has changed "each of the test

patterns" to "the test patterns" in line 7 of claim 15 according to the antecedent basis (i.e.

"a plurality of test patterns" in line 6 of claim 15). Therefore, Applicant respectfully

submits that the amended claims 1 and 15 are already in condition for allowance.

Claim Rejections - 35 U.S.C. §101

Claims 15-20, 22 and 23 are rejected under 35 U.S.C 101 because the claimed

invention is directed to non-statutory subject matter.

In response thereto, Applicant has amended claim 15. In particular, Applicant has

changed "A computer readable storage medium having computer executable instructions

for performing an IP characterization method on a computer system the key data" to "A

computer readable storage medium having computer executable instructions, which when

executed on a computer system, perform an IP characterization method on the computer

system". Therefore, Applicant respectfully submits that the amended claim 15 is already

in condition for allowance.

Discussion of the Office Action Objections

Claims 2-6, 8, 9, 16-20, 22 and 23 are objected to for being dependent on a

rejected base claim.

As described above, claims 1 and 15 are already in condition for allowance, thus

applicant respectfully submits that the objections of their dependent claims 2-6, 8, 9,

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16-20, 22 and 23 should be withdrawn.

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date:

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Respectfully submitted,

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